

# CONFERENCE OF RELIGIOUS INDIA

Letter No. 1/92

*CONGRATULATIONS!*



Brother J. Philip Pinto, CFC

NATIONAL PRESIDENT, C.R.I.

*WELCOME and PRAYERFUL GOOD WISHES*

JN  
1/12

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Phone : 7273116



## CONFERENCE OF RELIGIOUS INDIA

**Brother John, S.G.**

C.R.I. Secretariat

*National Secretary*

13, Ashiana Apartments

*Letter No. 1/92*

Pitampura, Delhi 110034

Dated : 25 January 1992

To

*All the Members of the CRI*

**My dear Father/Sister/Brother,**

This is my first letter of 1992. I would like to wish you again a very fruitful year in God's Service. After the very successful completion of the CRI National Assembly at Barrackpore, the CBCI Biennial Meeting kept me busy, hence the slight delay.

### (1) The National Assembly 1992

I am extremely happy to report that from the Evaluation Report of the National Assembly, we have almost unanimous appreciation and grading as 'Excellent' or 'Very Good' by the members for the arrangement, accommodation, food, talks, liturgy etc. I have no words to express my gratitude to the whole-hearted cooperation and generosity of the members of the organizing committee. It may be unfair on my part to pick up a few names of special mention as many many others—personnel of Religious communities and lay people—who played very significant role in achieving what they all felt as a very successful National Assembly. I have written short notes of gratitude to our hosts and people responsible for different areas of work. If I have forgotten any and if my letter has not reached a few, may I request these few lines be accepted as gratitude of the whole CRI family for your availability and generosity. May God bless each one of you.

The National Assembly Report which is under preparation will take a month or two before it reaches you. Hence, these few lines.

As in other years, we had over 300 participants registered to attend the meeting. Unfortunately a record number of some 56 of these could not attend, some because of the dislocation of transport, both rail and air, due to political events in the South. This National Assembly had two special sessions: one on "Current Affairs", and the other, a very different kind of Panel Discussion. When Superiors representing over 79,000 religious personnel from all parts of our country meet together, it was but natural that they felt concerned about the events happening in our country.

This year's study being the "Teaching of the Church on Social events", the conditions of less-privileged people were foremost in our minds. In Calcutta, we have many lay persons devoting themselves to ameliorate their conditions in some way or other. Unlike we Religious who have the set-up of our Congregation to support and sustain us, many of these individuals show great courage and tenacity in helping the poor on their own. For the first time we had some 4 of such people coming to share their experiences with the Superiors. The participants were not only encouraged and enthused by these but in many cases their exposition was an eye-opener to many. The details of these and other events of the National Assembly will be given in the comprehensive report under preparation.

## **(2) National President CRI**

The Statutes of the CRI as approved by Rome, in its article 31 (b) had specifically mentioned that "The President of the Executive Council of the Priests' Section is also President and duly authorised representative of the entire Conference...". The National Assembly meeting at Nagpur had amended that article and submitted it to Rome for approval. On 11th May 1990, the Congregation of Institute for Consecrated Life gave its approval. This amendment read, "The Joint Executive elects one of the Sectional Presidents as the President and duly authorised representative of the entire Conference...". History was made at Barrackpore when the Joint Executive made its choice and elected the President of the Brothers' Section as the President of the CRI. So, now we have **Reverend Brother J. Philip Pinto**, the

Provincial of Christian Brothers Congregation as President of the National CRI. I join all of you to congratulate him and wish him well.

### **(3) A Page From The President**

Already in this first letter of mine, you would notice a welcome change. Hereafter my communications of this type will have "A Page from the President".

### **(4) Statement of The National Assembly**

For the past many years my letter after the National Assembly always carried the "STATEMENT" which we have passed in the Assembly. I have given it the pride of place by printing it immediately after the President's Page. Responding to your request I also have printed extra copies of the STATEMENT alone. Please feel free to ask for the same.

### **(5) New Joint Executive**

Some of our members had completed their term of office in the executive. This included the President of the Priests' and Sisters' Sections and the Secretary of the latter. I would like to place on record the great work Father Peter Lobo, OP, Sister Cleopatra CMC and Sister Mary Ann Theodore, SCCG have done for the Organization and the encouragement and help I personally received from them in the discharge of my duties. We have **Father Varkey Perekkatt, S.J., Sister Hildegarde CSST and Sister Inigo, SSA** to replace these above and we welcome also the other new members in the Executive.

The CBCI-CRI Joint Committee too was re-constituted. As I thank the out-going members, we welcome new entrants and wish them well. The complete list of these bodies are printed elsewhere.

### **(6) The CBCI Biennial At Pune**

Four representatives of the CRI were present for this big event at Ishvani Kendra, Pune. We were touched by the simplicity and courtesy of our Bishops and the CRI was listened to with attention. Father Peter Lobo our out-going President expressed the "Concerns of the CRI" to which quite some Bishops responded. These also are printed in other pages of this letter.

### **(7) Contracts, Taxation etc**

There has been some correspondence between the CBCI

and the CRI through the CBCI-CRI committee regarding the Contracts, Taxation, Establishing Religious communities in dioceses etc. Since every year we have new members taking over as Superiors, requests were made for clarification on some of these topics. As per the decision of the Joint Executive, I have pleasure in reproducing the comments of the Canonists on the above topic.

### **(8) FCRA-Foreign Contribution Regulation Act**

I had informed you as early as 10th May 1991 through my letter No. 5/91 that the new F.C. Returns (F.C. 3 and F.C. 9 merged into one) is to be submitted after the new Financial year. If you have submitted the F.C. Form for the year ending December 1990, the next in the new Form have to be submitted in DUPLICATE, within 2 months after the 31st March. These forms can be supplied on request from the National Secretariat @ Re. 1/- per copy.

### **(9) Sisters At The National Secretariat**

My present staff of Sisters will be completing their two-year term at the Secretariat between March - June 1992. I am already in correspondence with Superiors for replacement. I hope I'll be able to welcome the new Sisters and thank the Congregations concerned in my next letter.

### **(10) The New Secretariat**

The Archbishop of Delhi and the CRI are finalizing the terms and conditions of the offer of 1400 sq. yds of land for our Secretariat. The money to be paid etc will be finalised soon and if all goes well we should take possession of the plot of land sometime this month. Immediately I shall be contacting the Architect and we should start construction work at our earliest. This will mean a big expense and I will lean on you heavily for whatever help you can give. Good many of you have contributed @ Rs. 5,000/- and that is the amount I will be using to start our work. As decided by the Joint Executive, I will be writing to those who were not able to pay at that time to come to our rescue with your generous help. At the National Assembly of Barrackpore, the participants were so happy with the progress and were generous to tell me that even those who have paid earlier will find their way to help us in this common need. Thanks to all of you in advance.

I would like to end this letter expressing my gratitude to all of you for your concern, affectionate enquiry and prayers during my recent illness. All those who heard about it, expressed their love by letters etc. I was really touched. I am much better now, though on medication for some more time and with restricted diet not to irritate my stomach. Thank you so much. God bless you all.

With all good wishes,

Yours sincerely in Our Lord,

**Brothers John S.G.**  
National Secretary CRI

## PAGE FROM THE PRESIDENT

My Dear Sisters and Brothers,

By addressing you in the above manner I wish to state that I have not forgotten the Priest-members of the Conference of Religious. They are included because we are all brothers and sisters as religious and the terms are relational, not merely titles.

Our recently concluded National Assembly at Barrackpore issued a Statement that it wished, should be communicated to all Major Superiors as well as to Presidents and Secretaries of Regional and Local Units of the CRI. I wish in this letter to brief you on the thinking behind the Statement, and then to earnestly beseech you to give the recommendations concrete expression in your planning for the year.

This 'Statement' is not a summary of the thinking that took place at Morning Star Seminary, nor are the most important contributions from our discussions found in it. But it is, in the first place, an orientation — one way of looking at the issue we discussed. We saw it as a **movement**, a way of being Brother and Sister to those of our people who are suffering the most grievous injustices of a system. We also saw this Statement as a way of being in solidarity with these our people, because during our reflection we heard afresh their cry of outrage and pain. The text from Exodus at the beginning of the Statement runs as a motif throughout. Therefore, to sit back in silent sympathy would be to disown the God who calls us in our history.

That is why the Statement ends with a series of Responses for the year 1992. The hardest thing in the suggested programme is the will to act — all the rest is within our means.

We at Barrackpore focussed our attention not so much on the terrible things happening in society, although with the post we could say:

*"And much it grieved my heart to think  
What man hath made of man".*

But we chose to reflect on the hopeful signs within society today. And so we took inspiration from the voice of Jesus which finds echoes in the Church and in prophetic people in our world. Lest the Master upbraid us for not noticing the beam in our own eyes, we humbly acknowledged our own failings and that of our Church in adequately responding to the Call.

My Brothers and Sisters, I ask you to read Section 4 (Response) very carefully. There you will find the reasoning behind our action plan for 1992. If we do not understand **why** we have to act, then any changes in our life-style and apostolate will be merely cosmetic — a veneer of superficiality that hides an interior of emptiness. If we do not realise that continuing to ignore the cry of the poor is tantamount to betraying our vocation, that our big Institutions merely perpetuate injustice, that the situation is one of the gravest URGENCY, that we need to set steps in motion TODAY — then we should not even think of looking at the Fifth Section of the Statement.

As I said before, what we need now is the will to act. We are around 400 Major Superiors. We do not have to transform our Provinces/Congregations overnight. But we do have to motivate ourselves to act. Let each of us start in a **very small way** — a spark to begin with. But 400 such sparks will blaze a change among those we serve who will feel once again that God has visited His people. The poor and oppressed depend on us. Let us go forward in their name.

Fraternally,

Brother Philip Pinto, CFC  
(National President, CRI)

## **STATEMENT**

*Of the CRI National Assembly, Morning Star Regional Seminary Barrackpore December 29, 1991 - January 3, 1992*

**"The cry of the children of Israel has come to me, and I have witnessed the way in which the Egyptians oppress them, so come, I send you to Pharaoh to bring the children of Israel, MY PEOPLE, out of Egypt". (Ex. 3:9 - 10)**

### **1.0 THE CALL**

- 1.1 This same cry of the suffering and the oppressed has been heard in our land. Like Moses of old we today, more than ever, are urged by the Lord of history to listen to their cry in the burning bush of their struggles.
- 1.2 In the Eucharist, Jesus calls us in a significant way to listen to this cry and to renew our commitment fully to the liberation of the oppressed. The bread we break and the cup we drink nourishes and strengthens us.
- 1.3 Reflecting together on "The Indian Situation and the Church's Social Teaching", we, the Major Superiors of the Conference of Religious in India, gathered at Morning Star Seminary, Calcutta, are spurred by the urgency of this call to struggle in solidarity with OUR POOR in the pilgrim movement towards the Promised Land of the Kingdom of justice, peace and love.

### **2.0 THE CONCERNs**

- 2.1 The dehumanised dalits, the dispossessed tribals, the discriminated against women, the marginalised ethnic and other minorities, the enslaved bonded and child labourers, the degraded slum-dwellers, and the unorganised agricultural, industrial and domestic workers, have begun to raise their

voice and assert their rights in many parts of our country. As followers of Jesus we can no longer take a neutral or political stand. Their demands for human dignity, equal opportunities, a just distribution of resources, and a share in political power cannot be dismissed, and require that we support these through our solidarity with their struggles.

- 2.2 The alarming trend of religious fundamentalism and the consequent minority insecurity, too, are a source of grave concern to us.
- 2.3 Our response becomes all the more urgent as, with the receding of the Cold war era, we already see dominant powers in the unipolar world determining the economic and political climate of our country, thus affecting the already poor condition of the marginalised.
- 2.4 We are also deeply aware of the growing demand of the peoples of Asia and Africa, Latin America and Oceania, for a just share of the World's resources, and for equal participation in global decisions. The struggles of the migrants and refugees, racial and ethnic peoples in various parts of the world draw our attention to their cry for human dignity and freedom.

### **3.0 INSPIRATION**

- 3.1 In the movement of oppressed peoples towards liberation throughout the world, we see signs of great hope. These signs of the times reveal to us afresh the God of history who is drawing us together as children of one family. All over the world, amidst mighty upheavals, political movements and unforeseen changes, we hear prophetic voices witnessing to the indomitable spirit of man and woman. In their voices we hear again the voice of Jesus who was good news to the poor, who proclaimed liberty to captives, new sight to the blind, freedom to the downtrodden.
- 3.2 In our corporate, prayerful reflection, we now hear Jesus' prophetic voice echoing in the Church's social teaching of the past 100 years. Raised in defence of the industrial workers' rights a century ago, the Church's voice was the expression of "her desire that the poor should rise above poverty and wretchedness and better their condition in life".

(RN 23). Proclaiming first the rights of the human person made to the image of God, the Popes' encyclicals have in recent years laid increasing stress on the struggle for the rights of oppressed groups and nations in a spirit of solidarity.

3.3 We hear the call of Vatican II to see the unity of the material and the spiritual, to save the body as well as the soul; and the call of the more recent papal documents inseparably linking evangelisation and human liberation, and making social justice an integral dimension of all apostolates. Recalling this rich heritage of the Church's social teaching of the past hundred years in *Centesimus Annus*, the present Holy Father invites us to raise our prophetic voices against the evils of liberal capitalism and consumerism.

3.4 We humbly acknowledge that we have failed to respond radically to this call. We confess our sin in contributing to oppressive structures within the Church itself: the sin of factions and division of caste and language; of mutual recrimination and suspicion among rites; of giving a lower status to women; of clerical and religious monopoly of power. We are aware that this sin within the Church has impeded her mission in India and prevented us from being instruments of liberation and witnesses of justice in society. We profess our desire for the grace of a corporate conversion of heart.

#### **4.0 RESPONSE**

4.1 Sent on a mission to evangelise the world, we now pledge our-selves to a new thrust for social justice in all areas of our apostolate. We experience the urgency of this task and call all our religious men and women to study, reflect on and respond enthusiastically in order to bring about the needed transformation.

4.2 We appeal to all Congregations to evaluate, re-orient and prioritise their ministries in consonance with their varied charisms. This will demand re-deployment and training of personnel and distribution of material resources accordingly.

4.3 We are convinced that solidarity with Peoples' Movement is an effective method of working for justice with the poor of our country. We want to study its requirements and equip our religious suitably.

- 4.4 We realise the magnitude of the task and offer to collaborate with all those who are involved in working for justice at all levels. We welcome issue-based collaboration with all agencies after sufficient discernment.
- 4.5 We shall approach this complex activity of involving ourselves in the struggle for justice in a professional manner. In order to realise this we shall provide suitable training and include the social teachings of the Church in our Formation Programmes for those religious who are specifically missioned to this area of apostolate.
- 4.6 We recognise that the present set-up in the CRI is not conducive to immediate action in response to justice issues. We therefore see the need to reorganise the Body at all levels to facilitate effective action.
- 4.7 We want to evolve a way of life that leads to a spirituality that is nurturing and supportive of action for justice programmes. We urge that Major Superiors of each Congregation address themselves to this task from the early stages of formation. We invite theologians and spiritual guides to join us in this journey towards an integration of life of faith and new forms of action for justice.

## **5.0 SPECIFIC RESPONSE FOR 1992**

- 5.1 The Joint Executive will get in touch with the relevant CBCI Commissions that are already working in this direction and collaborate with them, co-opting new personnel wherever necessary. The National Secretary will, through the help of the local CRI, identify voluntary agencies with whom we can collaborate on issues and publish these through the Newsletters.
- 5.2 We shall organise training programmes for action for justice with a thrust for peoples' Movements. The methodology will include exposure experience programmes for those missioned to the social apostolate, outreach programmes for those engaged in the educational, medical, pastoral and evangelical apostolates, and for Major Superiors who feel the need for such exposure for their animation work.
- 5.3 We urge Major Superiors during the course of the year to initiate a community study and reflection on the social

teachings of the Church using the input material provided during this Assembly, and then to help the community to formulate its own Action Plans. A synthesised report is to be sent to the CRI Secretariate which will circulate it among the member Congregations for mutual inspiration and encouragement.

***Into that Heaven of Freedom, my Father,  
Let my Country awake !***



#### **NOTE : EXPLANATION OF THE TERM "PEOPLES' MOVEMENTS"**

1. "Peoples'" refer primarily to such marginalised groups as dalits, tribal ethnic minorities, bonded and child labour, women, unorganised agricultural, industrial and domestic workers, etc. Secondly, it refers to those sections of society which are denied civil, economic, social, political, rights. Environmental movements, consumer societies, Peoples' Union for Civil Liberties, etc. are some of the forms taken by these sections.  
In brief, the first section concerns itself with the question of structural justice, and the second with rights.
2. "Movements" refers to the organisation of people by a process of empowerment through critical awareness of the structural causes of injustice, their mobilisation for political action on issues carried out in a democratic manner, and their networking at the semi-macro and macro levels with other movements.  
Issue-based action will require legal, media and other forms of support. In this respect, any organisation, association, forum, etc., cannot be considered as movements except insofar as they form part of the movement we have described above. However, they can also function as supportive of such movements.
3. The "Peoples' Movements" we have referred to above are not to be identified with militant or terrorist groups or organisations which believe in the use of armed force to achieve their objectives.

## **MINUTES OF THE EXECUTIVE BODY MEETINGS**

*Held On 29.12.1991 at Morning Star Regional Seminary,  
Barrackpore*

### **SESSIONS I & II**

The meeting began at 3 p.m. though a few of the members had not reached the place. In the absence of the National CRI President, Brother Philip Pinto, President of the Brothers' Section chaired the meeting.

After a brief introduction, Brother John appraised the Body of the latest development in the process of getting land for the National CRI Centre, Delhi. The minutes of the meeting of the Delhi-based members of the Executive held on 21 November 1991 was read out and approved. Further, the Proposed draft Agreement between the Archdiocese of Delhi and CRI was also presented for comment and clarification. It was decided that the same committee will meet again to finalise the document before it can be signed.

Then Brother Pinto read out the formal reply of Right Rev. Alan de Lastic, Archbishop of Delhi dated 26.12.1991 granting 1400 sq. yds of land at Okhla for a price of Rs. 12 lakhs with full right of possession. One condition attached to the deal is that the CRI Centre should have facilities (8 rooms) for the visiting Sisters for their short stay.

Archbishop has offered two options for the CRI to pay the amount.

- (1) To pay Rs 12 lakh as full payment for the cost of the land.
- (2) To pay Rs. 4 lakh in cash plus hand over the two ground floor flats of the present CRI centre to the Archdiocese to cover Rs. 8 lakh as the full and final payment for the land at Okhla.

It was also pointed out that according to the present DDA rate for the land the said property would cost Rs. 21 lakhs.

Both options for the payment was discussed briefly and it was agreed to go for the second option, namely that we give Rs. 4 lakhs to the Archidocese when we sign the formal agreement of transfer of the property as soon as possible and hand over the two ground floor flats to the Archdiocese when the new centre will be ready for function. It was pointed out that if CRI opts for selling the present centre at market value, there is possibility of getting better price. However, taking into consideration of the generous gesture of the Archbishop and CRI's own concern for the need of the local Church for a suitable place for worship for the people of the locality, it was agreed that by taking the second option the CRI also would reciprocate the generosity of the Archbishop.

The Delhi based committee was again authorised to make the necessary decision to complete the process of signing the agreement as well as to go ahead with getting the plan for the building ready.

The modalities of complying with the attached condition, that is, providing accommodation for visiting Sisters, also will be included in the agreement.

The rest of the meeting was made use for discussing the general time-table for each day, fixing up chairpersons for different sessions and other formalities connected with the Assembly.

The meeting again continued on 30th evening at 8.45 p.m. with full participation of the whole Executive body for a brief meeting. The above points were again repeated for the benefit of those who were absent in the previous meeting.

The day's programme was evaluated and plans for the following days were confirmed.

Since Brother John had to leave the Assembly by 31st noon it was decided to present the financial statement to the Assembly on the 30th at 6.00 p.m. rather than on the 1st afternoon as printed in the programme. It was also decided that Brother Philip Pinto would take over the responsibility of Brother John for the over-all management of the Assembly once Brother John leaves for Delhi on the 31st.

Other decisions taken were :-

- (1) The out-going National President, Father Peter Lobo, Brother Philip Pinto, Brother John and Sister Cleopatra will attend the CBCI meeting in Pune from 6th January unless the President prefers to attend the meeting.
- (2) CRI representative for CBCI-CRI Commission to be updated (Priests' Section: President + 2 Priests; Sisters' Section: President + 3 Sisters; Brothers' Section: President + Brother John.)

Next Executive Body meetings: -

- (1) 1.1.92: at 8.45 p.m. : To finalise issues/CRI concerns to be presented at the CBCI Meeting.
- (2) 2.1.92. To elect the National President and to fix up the date and place for the next CRI Joint Executive Body Meeting.

The Joint Executive met again on 1 January 1992 from 8.45 p.m. to discuss and finalise the list of concerns of National CRI Assembly to be presented to the CBCI Plenary Meeting at Pune from January 6 - 13, 1992.

Since more and more Bishops are demanding Religious in their dioceses to contribute fixed funds towards diocesan expenses, sometime beyond their means, it was suggested to go by the Canon law stipulation in this regard. Hence it was decided to reprint and circulate the study done by Father Roberts on Taxation a few years ago, to all the Major Superiors so that the local superiors could be better instructed on this matter.

## **MINUTES OF THE NEW JOINT EXECUTIVE MEETING**

*Held On 2nd January '92 at Barrackpore Morning Star  
Regional Seminary*

The new Joint Executive met at 8.45 p.m. on the 2nd January, 1992, to elect the new national President and to attend to urgent business matters.

Brother Philip Pinto explained the procedure of the election and the three secretaries were nominated as tellers for the election.

The candidates were: Sister Hildegarde, Brother Philip Pinto and Father Varkey Perekkatt.

Fifteen members of the Executive were present for the voting. In the first ballot Brother Pinto got 8 votes and Father Perekkatt 6 votes and Sister Hildegarde 1 vote. Brother Philip Pinto was declared elected President of the national CRI. It should be noted that in the history of CRI it is the first time a Brother became the National President. The newly elected President welcomed the new members of the Executive and thanked the outgoing Presidents and other members of the Executive.

After the completion of the election formalities considerable time was spent in discussing the problems connected with the question of the rights of different rites. The executive body unanimously felt that for the healthy growth of the three rites there should be better cooperation and greater appreciation among rites.

It was suggested that the Kerala and Maharashtra regional units be asked to make a thorough study of the existential problems different groups are facing because of the rite issue and a report be submitted to the National Secretariat. Similarly a person like Father Varkey Vithayathil or someone competent be asked to make an objective historical study of the same rite issue so that the CRI can initiate proper dialogue among the affected groups taking into consideration of historical facts.

The President was authorized to look into the possibility of having Pune or Bombay as venue for the next year's meeting. If possible Pune was preferred to Bombay for better accommodation possibilities.

The next joint Executive body meeting will be in Delhi some time at the beginning of April 1992.

**Father Varkey Perekkatt, S.J.**



## NATIONAL SECRETARY'S REPORT FOR 1991

and Budget for 1992

Presented in the National Assembly and passed unanimously.

This was the first time that the National Assembly did not take place at the beginning of the year. Hence, but for preparing and despatching the CRI Directory 1991, the Secretariat was comparatively quiet. At present, we have three Sisters helping the Secretary. At the outset I would like to thank Sister Abina, Sister Jayaseeli and Sister Hermangild and their Major Superiors for the kind gift of these Sisters for the service of the Religious of India. By some strange coincidence, all these three joined the Secretariat nearly the same time: April - June 1989. They are completing their term of service in another three months' time and I hereby record the gratitude of the CRI for their great help.

May I make use of this occasion to request willing Superiors to help me with the replacement. The three needs of the Secretariat are:

- (1) A Sister to attend to the correspondence, typing and filing.
- (2) to do some other correspondence but mainly to do the Accounts
- (3) A third Sister runs the house, attends to the guests, kitchen department etc. This one will be helped by a servant boy.

I'll be grateful if a thought is given now and the persons deputed by March-April 1992.

The CRI National Assembly 1991 was held from April 7-12, 1991. Since we could not find a convenient venue, we went about knocking at many doors and finally Dharmaram College, Bangalore agreed to host the meeting provided it is shifted to the month of April. The Executive accepted the offer and we had a very successful meeting with 47 Priests, 10 Brothers and 225

Sisters Major Superiors attending it. The newly appointed Apostolic Pro-Nuncio His Excellency Archbishop George Zur made his first trip outside Delhi to inaugurate the meeting of the Religious at Bangalore. We made use of this occasion also to formally welcome him as the Representative of the Holy Father. The report of the National Assembly was sent to you as my Letter No. 7/91.

As usual we had elections to fill the vacancies of members in the Executive who had completed their term of office.

**COMMUNICATIONS:** This year perhaps we had sent out more communications to the members than in any previous year. My last Letter No. 11/91 was to communicate the decision of the Joint Executive meeting about the present National Assembly. In between we had Encyclicals, "Redemptoris Missio" which had to be re-printed on request of members, the two-in-one 'Centesimus Annus' and 'Rerum Novarum', Application for Subsidy of Novices, Questionnaire on 'Religious in Church-related Institutes' and 'Recruiting Vocations to Priesthood and Religious Life' and the Appeal for Bangla Desh Relief Fund were other important communications sent out which kept the Secretariat busy.

### **PROPOSED NEW CRI SECRETARIAT**

For the past more than 4 years, we had been thinking of shifting the CRI Secretariat to a more convenient location. This was also with the idea of constructing a functional Secretariat than housing it as now in a Residential flat. Senior Members of the CRI may remember the many communications about the Secretary's unsuccessful attempts. Even now our application to the Delhi Development Authority is pending. They have agreed in principle to give us 300 sq. yds of land at Rohini. Unfortunately, in spite of hundreds of trips to that office, the file is not yet cleared. Meantime Archbishop Alan de Lastic of Delhi very graciously and generously has offered us 1,400 sq. yds of land from the property of the Catholic Church at Okhla. I have sent him a letter of gratitude on behalf of all of you. His letter of offer is being studied by the Joint Executive to arrive at necessary agreement for complete use of the property and for the payment to be made etc. If all goes well, we should complete that by the end of January 1992.

This brings me to the finances needed for the purchase of

the property and the construction. In 1989 we had envisaged a collection of Rs. 20,00,000 from the members of the CRI. The decision of the Executive to collect Rs. 5,000/- per member was approved by the General Body and very promptly the Superiors started sending in their help. More than two-thirds of our members paid their share with the result we have collected Rs. 13,62,000 which has been kept in Fixed Deposit and has now grown to nearly 15 lakhs. The present Executive has asked me to remind the members about the decision and I would now appeal to your generosity. Even those who have paid are welcome to make a fresh gesture.

I could not make the proper plans and hence a correct estimate is not possible. However, I have made one with the idea of making an appeal to outside agencies for financial help. This plan and estimate was accepted in principle by the Joint Executive in its meeting in Bangalore, early October. The estimate for its construction is around 40 lakhs of Rupees. Besides, this we have to find money for the price of the land which is Rs. 12,00,000. With your economic help, cooperation and prayers, I hope to complete this project before laying down office in 1993.

## **BANGLA DESH RELIEF FOUND**

180 Superiors contributed Rs. 3,57,000 in response to our appeal for the suffering members of this great calamity in the neighbouring Bangla Desh. Transferring money from India to a foreign country has to be done with the permission of the Reserve Bank and we have to undergo quite some procedure. So, we have handed this amount to the Caritas India for forward transmission. The CBCI too has done the same.

## **FINANCIAL REPORT**

Through my Letter No. 8/91 I had presented you the Audited Statement of Accounts of the CRI Secretariat for the financial year 1990-1991. Now I give here below the Receipts and Payments Account for the last 8 months ending 30th November 1991.

	PAYMENTS	RECEIPTS
To Annual Subscriptions		1,42,475.00
Handling charges		41,797.00
Interest on Fixed Deposits		36,225.00
Interest on Saving Bank Account		1,556.50
Received for National Assembly 1991		84,900.00
By Salaries	31,460.00	
Printing and Stationery	85,403.97	
Conveyance and Travel	217.00	
Bank Charges	87.00	
Telephone	1,883.00	
Electricity	5,054.00	
Postage	15,172.60	
Donation	100.00	
Repairs and Maintenance	8,294.95	
Books and Periodicals	2,553.40	
Miscellaneous Expenses	1,448.60	
Car Expense	25,009.75	
Car Insurance	2,113.00	
House Tax	1,512.00	
Expenses on Executive Body Meeting	49,057.00	
Auditor's Fee (3 years)	15,900.00	
National Assembly (including Rs. 25,517/- spent for 1992 Ass.)	1,25,813.35	
	3,71,079.02	3,06,953.50

## BUDGET

Now I have the duty to present the BUDGET for the next 12 months. This is arrived at enhancing the actual expenses of one year by 15% on relevant items.

	Actuals 1991 8 months	Budget 1992
Salaries	31,460.00	54,200.00
Printing and stationery	85,403.97	1,28,100.00
Conveyance and Travel	217.00	400.00
Bank charges	87.00	200.00
Telephone	1,883.00	3,300.00
Electricity	5,054.00	8,700.00
Postage	15,172.00	26,200.00
Donation paid	100.00	-
Repairs & Maintenance	8,294.95	14,300.00
Books & Periodicals	2,553.40	4,400.00
Miscellaneous expenses	1,448.60	2,500.00
Car Expenses	25,009.75	43,000.00
Car Insurance	2,113.00	2,100.00
House Tax	1,512.00	1,500.00
Expenses on Executive Body Meeting	49,057.00	49,000.00
Auditor's fees (3 years)	15,900.00	6,000.00
National Assembly (including Rs. 25,517/- spent for 1992 Assembly)	1,25,813.35	1,25,000.00
<b>TOTAL</b>	<b>Rs. 3,71,079.02</b>	<b>4,68,900.00</b>

**Brother John S.G.**  
National Secretary CRI

30-12-91  
Barrackpore

## **CONCERNS OF THE CRI**

*Presented at the CBCI Biennial Meeting, Pune  
on 12th January, 1992*

### **1. INTRODUCTION :**

- 1.1. If the Church in India is to be a striking sign and an effective instrument of salvation to our waiting people, i.e. if it is to make Christ truly present and make available to our people the truth, reconciliation, equality, justice, peace and love which he came to bring to humankind; if the Church is to answer the cry of our people for unity, love and communion by being breach-mender and bridge-builder between communities and groups, then it is imperative for us to move swiftly and surely to a new VISION of Church and a new WAY (MODEL) of being Church. This Church which proceeds from the Father's eternal plan to bring together peoples of all races and nations and languages into one People of God, the redemptive work of Christ, the incarnate Son of God, and the unifying, bonding and guiding work of the Holy Spirit will necessarily have as its deepest nature the marks of unity and communion besides others. It will be a COMMUNION of clergy and laity gathered together by the Word of God as equal partners though diverse and unequal in function for the MISSION of bringing the Good News of salvation and liberation to our waiting people.
- 1.2. In this Church the hierarchy will accompany the laity on their pilgrim journey towards the full realization of the kingdom. They (the hierarchy) will exercise the special function (charism) of recognizing, leading, guiding, encouraging, fostering, directing and interpreting the charisms gifted by the Holy Spirit to the People of God as a whole. But at the same time laity will exercise their mature adulthood in Christ by recognizing their co-responsibility for fulfilling the

mission entrusted to the Church by Christ and putting their charisms at the service of building up the Kingdom, charisms which are not to be stifled or quenched by the hierarchy. The special charism of leadership given to the hierarchy and the varied charisms given to the laity come from one and the same Holy Spirit, complement each other, and are destined to be put at the service of fostering unity and community among the People of God, building up the Church community, and encouraging and furthering the mission of the Church in the world. Such a way of being Church would be rightly called a "COMMUNIO" or PARTICIPATORY MODEL (WAY) of being Church. It would establish the necessary structures for sharing power and exercising co-responsibility among the different complementary sections of the Church, hierarchy and laity.

1.3 Religious, be they clergy or laity, are gifted by the Spirit with numerous charisms, and are to be, both to the Church and the world, prophetic signs urging us forward towards the more complete realization of the Kingdom. Church history testifies that often when the Church stood in need of reform and renewal, or when the Church was called upon to answer a special need that had arisen among the people, or when the Church was challenged to under-take anew the call to evangelization (mission), it was men and women religious whom God raised up that powerfully responded to these needs and enabled the Church to become a relevant and meaningful sign to the world of that particular period. We religious are not and do not wish to be a parallel Church—this has never been our aim nor our claim. We do not wish to move in a direction all our own, regardless of the hierarchical leadership. But we do wish to keep and live our call to be "prophetic signs" to the People of God of what we as Church can be and should be, despite the fact that many of us often fail to realize this call in an adequate manner. That is why we said at our December 1989–January 1990 CRI National Assembly held in Nagpur, "We, religious, would like to collaborate as closely as possible with the CBCI in furthering the task of evangelization in our country" (CRI National Assembly Report 1990, P. 13). We re-affirmed this at our recent CRI National Assembly held in Barrackpore,

December 29, 1991 to January 3, 1992: This National Assembly marks a new beginning in collaboration between the CRI and CBCI, because for the first time we have both chosen the same or similar theme for our study, reflection and action. We felt that we should channel our resources to move towards greater complementarity, collaboration and communion, and thereby maximize our effectiveness, so that the charisms gifted by the Spirit to the hierarchy are supplemented and supported by the charisms given to the religious and other sections of the Church. In this way the Church as a true "cummunio" would become more prophetic, be of greater service to the People of God and the world, and be able to mobilize its resources more effectively for the purpose of evangelization. For as Church, we want to be participatory, collaborative "Communio" of hierarchy and laity, standing up as a prophetic sign to our world, in true solidarity with the poor and the marginalized, living, speaking and doing the truth in justice, and committed to the task of the total evangelization of ourselves and our people, of our culture and cultures, of every aspect of our life" (CRI Presidents Address). Let us dispel from our minds any notion that the religious of India have only their own private concerns and agenda for action, and wish to go their own way as a parallel Church. No, we want to collaborate with and complement the Bishops and lay faithful in the task of making Christ and his Kingdom more really, truly and effectively present in our country and in our world. Let complementarity, collaboration and communion be our way of being Church, and let us together listen to the signs of our times in the issues facing our people, Whether these be spiritual or material, for they are the way the Spirit is speaking to us as Church. And let us engage in effective, collaborative action for the purposes of evangelization in which the preaching and practice of justice will not be just one dimension of our evangelical work, but the dimension that informs and specifies all our evangelical work.

## **2. SOME OF OUR CONCERNs:**

- 2.1. In the light of the above understanding of our place and role in this participatory "communio" which is the Church,

we would like to place before you some of our more important concerns. While doing so we would like to acknowledge with deep gratitude all that the bishops are doing for their local churches in general and religious in particular.

2.2 **Laity.** We are deeply concerned about our lay faithful and their role in the Church. They are the greatest resource that we as Church have, and we need a well-trained, responsible lay faithful who can take an active and vital part in the life and mission of the Church. We can no longer be a Church of clergy for the laity; we must become a Church of clergy and laity in which the laity have a real voice and share power in the life and mission of the Church. A delay in bringing about this transition will lead the laity to become alienated and disgusted with a clerically top-heavy institutional Church. Many lay faithful at present feel that they have no voice in the Church and no mechanism to share power and responsibility in it. The NAC, being only advisory, has failed to empower the lay faithful. The proposed CCI needs to have more than an advisory function. We need to develop a mechanism for sharing power and responsibility for the life and mission of the Church with the lay faithful which takes into account their special charisms as lay people. Programmes for training of lay leaders need to be implemented with greater effectiveness.

2.3 **Evangelization :** There are vast areas of our country where our Christian presence has not yet reached. We need to identify these areas without delay and make common availability of willing personnel to carry the Christian presence to these areas and see how best they can witness to Christ among the peoples of these regions. We feel that evangelization needs to be de-linked from ecclesiastical territoriality. We also feel that numbers of converts should not be our primary target in this effort, although we would welcome these if the Lord so chooses to bless our efforts. Rather we should seek to bring a Christian presence to these areas offer the people an experience of Christ by our Christian life, word and service which will in turn invite them to faith in and acceptance of Christ as their Lord and Saviour.

## 2.4 Rites and Recruiting Vocations:

We see the urgent need and indispensable role of collaboration in the Church between the different rites (Particular Churches). Unity in diversity must be more than a slogan and more than a facade behind which we can hide our rivalries. We need living, vibrant, inculturated, relevant expressions of our Christian life and worship in all our Churches, lest we end up in becoming anachronisms that can best be relegated to archives and museums.

Rivalries between rites are a great scandal to the People of God and bring pain to us, no matter what the historical origins that gave rise to them are. In this context we strongly disagree with the pastoral practice adopted by some bishops of disallowing the recruitments of vocations to religious life by congregations which do not belong to their rite or do not have a foundation/community in their dioceses or rite. This we hold infringes on the basic religious freedom which every individual has as his birthright. Such a stance will only serve to cause harm to religious life, hinder the spiritual growth of individuals, and do damage to the Church at large.

2.5 Religious: As we said earlier we religious never claimed to be and do not wish to be a parallel Church moving in a different direction from and having an agenda of action which is totally out of harmony with the bishop and lay faithful in the dioceses in which we are present. We see ourselves as an integral part of the People of God that constitute a local church and so would strongly desire to be involved in the pastoral planning and work of evangelization which it undertakes. However due respect for the charism and legitimate autonomy of religious should be preserved, for this would ensure the true growth of the local Church. The CRI has its own approved Statutes which spell out how local units of CRI are to be established. We would be glad to offer these statutes to any Bishop who would like to have a copy of them. Local units of CRI are set up by a religious who has been designated by the National President of CRI for this purpose, and at the same time the local ordinary is informed of this arrangement.

We also desire to be involved more fully in the pastoral planning and the work of evangelization at the national level, and so would also request that on this level members of the CRI be co-opted to the CBCI Commissions. This will help to facilitate collaboration between the CBCI and CRI.

**2.6 Women Religious:** Women religious constitute the greatest task-force which is available to the Church in India – approximately 66,000 women religious. Their potential is enormous if it is put to good use in the service of the life and mission of the Church. Women religious were recently urged by the Secretary General of the CBCI of our Barrackpore National Assembly to help in the task of liberating women in our country and improving their plight. This is a great challenge which we are sure will be responded to generously by them.

But there is also an urgent need for women religious themselves to be liberated from unjust structures within the Church and the un-Christian way in which they are sometimes treated by the clergy, bishops as well as priests. Cases have been brought to our attention where the legitimate autonomy of women religious has been infringed, and the prescriptions of Latin as well as Oriental codes of canon law have been contravened. There have also been cases where the "key of grace" (the sacraments, especially the Eucharist) has been taken away from them. There are also numerous cases where women religious have been offered a remuneration for ministries they perform for Church related institutions which is insufficient to cover their bare necessities of life. Such practices amount to a serious injustice done to women religious. These need to be corrected speedily. In 1990 the CRI National Secretariat conducted a survey of the situation (contract, terms, service conditions, benefits e.g. health, holiday, leave provisions remuneration etc.) which religious working in Church-related institutions have to face. The findings of this survey were circulated to all the members of the CBCI in the CRI National Secretary's letter No. 8/91, dated August 20, 1991 possible and speedily implement just schemes for religious serving in Church-related institutions. We also ask that a CBCI cell be constituted to

monitor and correct those clergy who use the Eucharist and the other sacraments as means to punish women religious.

2.7 **Taxation:** Religious are part of the local Church where they minister, and consequently the temporal goods they possess are also part of what the local Church as a whole possesses. Those temporal goods are used for the service of the local Church. Religious are ready and willing to contribute to special funds to meet particular needs such as disaster-relief, etc. However there have been cases where bishops have demanded from religious a tax to be paid to the diocese annually, i.e. on a regular basis. We asked two eminent canonists, namely Fr. Tony Roberts, S.J., and Fr. Varkey Vithayathil, C.Ss.R., to study the prescriptions of CIC on the matter of taxation, and advise us on the issue. Their unambiguous judgement on the matter is that taxation of religious on a regular (e.g. annual) basis is contrary to the prescriptions of the CIC. Voluntary contributions from religious can be requested, but without the stick being applied to those who do not comply with the same. An extraordinary tax e.g. to help in disaster-relief, etc. can be legitimately imposed provided that this tax is reasonable and that it is meant for meeting a particular, extraordinary need. The guidelines offered by two canonists were published in CRI Letter No. 9/88 and circulated to all the members of the CBCI and CRI. We shall re-publish them and circulate them again for the benefit of the bishops as well as the religious.

2.8 **Formation:** We earnestly request that the formation programmes of seminarians and diocesan priests include a course on the nature, place in the Church and history of religious life. This will help diocesan priests to understand religious better and serve to offset many problems that arise in the relationship between diocesan priests and religious. Also we have requested religious to include in their formation programme a study of the vocation, place and spirituality of the diocesan clergy.

2.9 **Bishops:** We request the Bishops to exercise their leadership role in matters/issues facing our country as a whole or their local territory with greater forcefulness. Often the lay faithful and religious are looking for guidance regarding the burning

issues facing our country, and on some occasions such guidance is not forthcoming from the Bishops, who are the leaders of the Church.

### **3. CONCLUSION:**

We trust that our above concerns will be accepted and attended to in a spirit of fellowship and collaboration. We religious wish to be at the service of the Church. We wish to participate as fully as possible in its life and ministry. We wish to put our charisms at its service and in a spirit of co-responsibility and communion work for the more complete realization of Christ's Kingdom of truth, reconciliation, equality justice, peace and love in our country and in our world.

Fr. Peter Lobo, O.P.  
for the CRI.

## **SOME OF THE REACTIONS TO/INTERVENTIONS/ COMMENTS OF BISHOPS ON THE CRI CONCERNS**

The response to the concerns that we presented to the CBCI General Body Meeting was good. Several Bishops reacted with comments, observations and questions. There were others who would have liked to make interventions, but because of the lack of time were unable to do so. The main interventions concerned the following points:

**1. Participation in the Local Church:** While the bishops accepted the fact that the Church must express herself more and more according to the "communio" model in which all its members, hierarchy and laity, must actively participate in its life and mission, and while they accepted the fact that we do not wish to be nor are a parallel Church going in our own direction and having our own agenda for action, some bishops made the following remarks and asked the following questions:

- \* While acknowledging the good work done by religious in many places, there still seem to be some serious lacunae in the way some religious serve in some dioceses:

- they do not manifest enough concern for the diocese and its plan of action;
- they do not involve themselves (especially men religious) in the pastoral planning of the diocese, because they do not attend the monthly recollection for priests at which many of the important issues are discussed and much of the planning is done;
- they manifest a lack of a sense of belonging to the local Church by the frequent transfers of personnel which breaks the continuity of ministries initiated;
- they sometimes do not send suitable personnel for ministries to be performed;
- they are not sufficiently "visible" in the parish and diocesan communities by their failure to participate in the Sunday Liturgy, etc. This tends to cut them off from the local communities (parishes) in a diocese.
- they are absent from planning meetings in the diocese/region — This applies especially to major superiors;
- when personnel are needed for special ministries, e.g. chaplaincy, etc. they are not ready to come forward and supply such personnel. This applies especially to men religious in some dioceses;
- that some religious have a money-mentality, rather than a service-mentality in their apostolate they undertake in the diocese.

On behalf of the CRI, we acknowledged our failings and shortcomings. It is not always easy for major superiors to be present at meetings. It is not always possible, too, to make known the reasons for transferring a particular religious, although transfers of personnel who are engaged in diocesan ministries must always be discussed with the local ordinary. It is not always easy to supply persons for special ministries. We do need to have a greater sense of belonging to and a greater participation in the pastoral planning in a diocese. But to facilitate this an invitation with an agenda for the meeting in question must be circulated to religious in good time. It would be unrealistic

to expect men religious to come to a recollection—they have their own provisions for this. But if a meeting to plan out the pastoral approach/ministry of a local Church is convoked and the agenda is circulated we are confident that men religious will attend.

**2. Empowering the Laity:** While accepting that the laity need to play an active role in the life and mission of the Church and that their charisms must be respected, the following remarks were made:

- What is the “power” referred to which must be shared with the laity?
- It is better to speak of “service” to be performed, than “Power” to be shared, when speaking of the role of the laity in the local Church;
- Have religious made provisions in their own institutions to share responsibility with the laity, e.g. have they given lay people authority in their educational institutions?

In reply we said that some religious have shared responsibility/ have empowered lay people working in their institutions, but much more has to be done. Whether we speak of sharing power or sharing responsibility, we mean one and the same thing. Lay people were not empowered by the NAC. It is hoped that the CCI will rectify this lacuna. The “Power” referred to is decision-making power for the life and mission of the Church.

### **3. Women Religious**

Some bishops mentioned the good work done by women religious in the dioceses. In particular the director of St. John’s College, Bangalore, praised the women religious for the wonderful service which they have rendered and are continuing to render to this institution. He said that if St. John’s has a good name in the country and the world for being excellent institution, this is largely due to the dedicated service of religious sisters. He asked that this be placed on record. However there were a few matters raised by some of the bishops regarding women religious:

- Is it true that religious in general and women religious in particular are inadequately remunerated for services

rendered in Church-related institutions? How widespread is this? Have we facts? Loose thinking is not good.

- How widespread is injustice to women religious by the clergy? In these cases has the matter being taken up with the individual bishops concerned?
- What is meant by the "key of grace" has been taken away from women religious? How many such cases of the Eucharist and other sacraments being denied to women religious have there been?
- Vocation camps have been conducted by women religious in some dioceses and they young people have been taken to far off places with the result that many returned back as they found it very difficult to adjust to the situation prevailing in these places. Such a practice causes harm to young people.
- Contracts entered into with the diocese are referred to civil and canon lawyers. They are not pastoral in approach.

In reply we reminded the bishops that the CRI had conducted a survey of the service-conditions, remuneration, etc given to religious working in Church-related institutions and this was published in Letter No. 8/91 of the CRI National Secretary. So our facts have been ascertained regarding remuneration received. It was also affirmed by us that contracts must be legal documents and must be as clear as possible regarding the rights and duties of parties concerned. This would help to offset confusion and misunderstanding. We also offered to conduct a survey of the cases where the Eucharist and other sacraments have been used by some of the clergy as a means to punish women religious.

**4. Taxation:** Some bishops disagreed with the interpretation given by the two canonists who we consulted regarding the prescriptions of CIC on taxation imposed on religious. They wanted the matter to be submitted to the Pontifical Commission for the authentic interpretation of the code.

We have no objection to this.



## **REPORT OF THE CBCI—CRI JOINT COMMITTEE**

*Presented at the CBCI Meeting at Pune on the 12th January 1992*

This joint committee was re-constituted at the Shillong meeting for the CBCI members, and at the beginning of 1990, at the National Assembly of Nagpur for the CRI members. The life of the committee is for two years.

The re-constituted committee met at Nagpur on the 2nd and 3rd January 1990. 17 out of the 19 members were present. It was here that a suggestion came up for a meeting of the standing committee of the CBCI with the joint Executive of the CRI. Following were the purposes of this proposed meeting.

- To share the mutual concerns with a view to drawing up a concerted plan of pastoral action.
- To respond together to face the vital and urgent issues challenging the church and the Nation today.
- To decide together, the same theme for the National and plenary assemblies, so that a common plan of action is drawn up for the church in India.
- To create an awareness in the whole church by an effective sharing of relevant information with a view of personnel for evangelization.
- To follow up the implementation of the recommendations and resolutions arising from the plenary and general assemblies.

Among the items studied in this meeting were :-

- The alleged practice of ex-religious women being sent to Europe.
- Pastoral care for the Catholic Nurses.
- Need of spiritual and doctrinal formation, medical ethics etc in all the catholic schools of nursing.

- Problems of vocation recruiting in certain areas and the alleged reasons for the same.
- Service conditions of Religious personnel working in the Church-related institutions.

The second meeting was held at St. John's Medical College on the 17th & 18th of September 1990. The meeting was informed that the proposal for a joint meeting of the standing committee and the CRI Executive was accepted by their respective parent bodies. This was to be held in April at Delhi, and details were worked out.

- It was agreed that a study of the service conditions of Religious personnel be made. Caution was expressed by some Bishop members, that the background of a particular community coming into the Diocese, the agreement written or oral made by the then Bishop and the then Superiors etc be kept in mind. More especially care has to be taken not to spoil the cordial relations existing.
- Agreed to chose the same theme for the next plenary and national assemblies.
- Discussing the topic Evangelization 2000, it was proposed that concrete steps should be taken at the Regional level. Decided to request the Chairman for proclamation to bring a plan and lead the discussion on the subject in the proposed joint meeting.
- More co-ordinated effort by the CBCI, CRI, AICU etc for events of national importance was stressed.
- About the laity participation in decision making, the members wondered, if there was an all India Body to represent the laity. Most members felt that the All India Catholic Union did not represent ALL the laity of India.

Meeting of Standing Committee of the CBCI with the executive of the CRI held on 18th April 1991. We nearly had a full House with 27 members of Standing Committee and 20 Religious members attending it. While welcoming the participants, the President of the CBCI reminded them that it is a symbol of a Church walking together, searching for ways and means for better collaboration

for effective involvement in the Mission of the Lord, rather than a confrontation. He stressed very emphatically that Bishops and Religious should meet regularly for sharing concerns and planning for common vision for the Mission.

The president of the CRI gave his reflection on "Church as communio - some implications". Having explained the scenario of the world and our country, he stressed the need of unity and communion in love, fellowship and service as the most important need. In such a situation he wanted the Church to play its role as bridge-builder and that the CBCI & CRI should work together.

To make this come about, it was suggested :-

- (a) that his type of meeting should be an annual feature.
- (b) To make such a meeting statutory.

The meeting went on to discuss our concerns

- Religion and politics
- Minority rights
- Caste factors
- Conflicting situations in the context of apostolic involvement and
- the need to extend Church's discernment process to socio, political and economic fields.
- Another topic the meeting discussed was problems of insecurity among Religious Sisters and other church personnel. It was suggested that wherever we work, we should get the support of the local people in our apostolate. We should not work in isolation and that they should become our security.
- Lay participation in the Church was another topic studied. There was total agreement that lay people should find greater recognition in the Church. Due to lack of training—for which we are responsible to a great extent—we do not get the right people to play key roles in day-to-day functioning of the Church. Wherever they have been given a chance, the Church has grown steadily—Ranchi and North-East were cited as examples. It was pointed out that what these people need is Christian

faith-experience and not mere academic degrees. Religious who administer so many institutions should take better interest in training laity and getting their services in a bigger way.

- The next item on the agenda was Evangelisation – 2000. A well prepared paper by the Chairman of Commission for Proclamation listed the following four areas for discussion :
  - Evangelization of the evangelizers
  - Re-evangelization of the evangelized
  - New evangelization of our institutions and
  - Evangelization of new peoples and areas.

He concluded his paper, asking to work out an over-all plan for the evangelization of new areas and people, and be willing to re-distribute our personnel and resources according to need. He suggested that areas should be allotted to interested individual churches and Religious group which are yet to be evangelized. Secondly Religious congregations and well established Dioceses be willing to share their personnel and resources with more needy Dioceses and mission areas. The general feeling was that we need greater planning and working together, listen to each other and take necessary decisions together in days to come. The meeting came to a close appreciating the effort done to reflect together and acknowledging our specific roles and collaborate and complement each other to carry out our common Mission - that of announcing the Good News of God manifested in the person of Jesus Christ.

Brother John  
Secretary, CBCI-CRI



## DIOCESES AND RELIGIOUS CONGREGATIONS— SOME EXPLANATION

In the CBCI-CRI Joint Committee meeting, held at Bangalore on 21st and 22nd November 1988, points on 'Contracts', 'Taxation and Surplus' and "establishing religious houses in dioceses" were discussed. The committee had the expertise of two Canonists, Father Tony Roberts, S.J. Professor of Canon Law, Morning Star Regional Seminary, Barrackpore, and Father Varkey Vithayathil, CSSR, Professor of Canon Law, Mount St. Alphonsus Theologate, Bangalore.

The following are the comments prepared by these Canonists as explanation on the above topics. This was made as an appendix to the letter the Chairman of the Committee submitted to the Secretary General of the CBCI (Please refer Letter No. 9/88 of the CRI Secretariat, p. 28 ff.)

Index : 1. Introductory comments

2. Contracts
3. Taxation & surplus
4. Religious Houses.

1.1 The purpose of law is to delineate clearly and accurately the rights and obligations of persons, both physical and juridical, in the Church.

"A diocese and a religious institute, although they work for the same end by a pact of cooperation and collaboration, are juridical personalities which keep their proper autonomy with all juridical consequences. The determination of the rights and duties of each party is absolutely necessary for peace and unity in the ministry. Neither party will demand whatever is beyond the limits."

(Comm. pro Rel. et Miss., 1970)

1.2 Canon Law gives norms for the interpretation of Church laws—(cc 17 ff). No one below the Legislator can abridge or change universal law unless this faculty has been expressly given. In cases of dispute or misunderstanding, recourse to the Holy See is available.

## 2. CONTRACTS :

The treatment of this matter in the various meetings of the CBCI and CRI still requires some clarifications because of certain ambiguities or inaccuracies that have been printed in some of the minutes of these meetings.

2.1 Bishop Thumma's letter to all the Bishops, Dec. 17, 1984. It appears as Appendix IX (p. 23) in the "Extracts from the CBCI Standing Committee Meeting," Nov. 1987).

No. 4 : "As for the Congregations already working in the diocese without a contract, you are advised to conclude a contract now, taking into account the works they are actually engaged in." As the context is with nos. 2 and 3 of this letter, in which the 609 situation is discussed – i.e. works owned and operated by Religious with the consent of the bishop – this No. 4 can be misunderstood. In the 609 context no contract is required or desirable.

2.2 App. IV of "Report of the Standing Comm. of CBCI, Delhi, Dec. 11-14, 1984". Intervention of an archbishop. Para. 1 of this intervention correctly notes that the bishop can fix conditions to his consent for the opening of a house. But such conditions are attached to the works of the religious, not to other aspects. C. 611, 2°

Para 2 : refers to c. 790. "In a diocese like ours, this canon will make agreement necessary for everything". Canon 790 must be read in conjunction with the 609 situation and the 681 situation (works owned by the bishop, but entrusted for management to religious). C. 681 indicates the areas to be accurately defined: personnel, works, and financial arrangements.

Para 4 : mentions the directives of Propaganda Fide on contracts and the "Jus Missionarium". Some clarifications.

(a) It is canonically accurate to speak of Instructions, not directives. (c. 34) Instructions are not laws, nor can they change laws.

The law indicates the two modes of presence of religious in a diocese: 609 and 681.

The relevant Instruction is "Relationes in Territorii", from the Cong. for Evangelization, Feb. 24, 1969. Its purpose was to spell out in greater detail the provisions of Paul VI's "Ecclesiae Sanctae" (1966) III, in order to implement the conciliar decree "Ad Gentes". "E.S." States in its preface: '.... We think that we will be acting wisely and prudently if we publish these norms on an experimental basis....and we command that they be observed by way of experiment, that is until the New Code of Canon Law is promulgated, unless in the meantime some other provision is made by the Apostolic See".

This Instruction of 1969 is such a provision, and is to be understood in the light of Ecc. Sanctae as provisional until the Code is promulgated. The New Code integrally reorders previous legislation on Consecrated life and also the laws on missionary activity. Thus the provisions of c. 790\* 1, 2<sup>o</sup> are to be interpreted in reference to c. 681. Cf. also c. 6\* 1, 4<sup>o</sup> : any other disciplinary laws concerning matters which are integrally reordered by this Code are abrogated. Cf. also c. 34\* 3 on Instructions.

Para 3 of this intervention also makes note of cc. 801 and 806. These canons are not pertinent to the matter under discussion.

2.3 In the same appendix, the statement made by one of those consulted, (2, "d") is erroneous. It says that the consent given by the bishop can indicate "the manner of disposing of the property or institution if the religious leave the diocese."

Since the context is that of c. 611, such a clause would be against Canon Law. Such property belongs to the stable patrimony of the Institute, and therefore can only be disposed of according to the canons on alienation (1290-1298). No present major superior can validly promise away property of the Institute *in future*. In the event that a later major superior wishes to move out of a diocese, that later major superior would be obliged to follow all the canons on alienation in order to act validly.

### 3 TAXATION

3.1 C. 1263: "The diocesan bishop, after consulting the finance committee and the council of priests, has the right to levy on public juridical persons subject to his authority, a tax (*tributum*) for the needs of the diocese. This tax must be moderate and proportionate to their income.

He may impose an extraordinary and moderate tax on other physical and juridical persons only in a grave necessity and under the same conditions, but without prejudice to particular laws and customs which may give him greater rights."

Fr Velasio de Paolis, professor of Canon Law at the Gregorian, is an expert on Book V of Canon Law—the Temporal Goods of the Church. Commenting on this canon:

"The local ordinary has no power over the ecclesiastical goods of pontifical institutes of consecrated life, since they are juridical persons exempt from the jurisdiction of the local ordinary. Only when he sees abuses in temporal administration can he intervene by admonishing the religious superior about such abuses." (Jurist, 1983).

"Even if a religious institute, for civil law purposes, separately incorporates itself and its works, such as a school or hospital, the same juridical person retains ownership." (Jurist 1984).

"Particular laws only refers to past laws, otherwise the prescription of this canon would be totally undermined." (Prriodica, 1984).

3.2 Regarding diocesan institutes, it is our opinion that they too are not subject to the diocesan bishop in their temporal administration, since temporal administration pertains to the autonomy of all religious institutes. (cf. c 586)—"A true autonomy of life, especially of governance, is recognised for each institute." Cf. also canons 634, 635, 636. Note that no distinction is made between pontifical and diocesan institutes. C. 637 says that the local ordinary has "the right to be informed about the financial affairs of a religious house of diocesan right." Also, in this context, cf. c. 18.

3.3 Sometimes c. 640 is cited; "Religious are to do all in their power to donate something from their own resources to help the needs of the Church and the support of the poor." ("all in their power" is a less accurate translation of the Latin text ('pro viribus'). The USA commentary gives a better translation : "contribute what they can").

As the USA Commentary points out, the very life and apostolate of religious in the diocese is their real contribution to the Church and the poor. All religious institutions, hopefully, are doing all that they can to implement the Church's preferential love of the poor. This constitutes a very great financial outlay.

We must also take notice of the heavy financial burdens involved in formation programs for religious, and the medical care of sick and aging religious.

Religious, serve the diocese according to their own charism, and thus in a different way than the diocesan clergy or laity do. (Cf. *Mutuae Relationes* throughout, especially Nos. 12 and 14.

3.4 Critique of some statements in various CBCI Minutes as reported: CBCI Goregaon meeting Sept. 1987 – as reported in Standing Committee Extracts (cf. 2.1 above), p. 16.

"The bishops have been empowered by Canon Law to levy taxes on public juridical persons subject to their authority, (however) taxation as such on religious is to be discouraged. Instead, contributions mutually agreed upon after due consultation is to be preferred".

Cf. 3.1 above.

Religious should also note that voluntary contributions are to be made according to what is said below (cf. no. 4.1).

They should also note that mutually agreed contributions can turn into prescription, which then would give the bishop the right to a regular levy. (cf. c. 1268).

3.5 Circular letter of the Abp of Delhi, May 5, 1988, to the Religious Superiors of the archdiocese.

"Concerning the matter of 'taxation', it is interesting to note that already in 1940, norms were spelt out in the Agreement

which Msgr Mulligan, Abp of Delhi-Simla had made with the Superiors of the Presentation Convent.....'whatever profit may accrue from the activities of the Delhi community will be spent in the archdiocese".

*Comment: cf. below, no. 4 off on Surplus. Also: a private arrangement such as this was not law, cf above Nos. 3 ff.*

3.6 "It is thought preferable that....to meet the requirements of canon 681, all religious houses, in place of a chaplain's fee, make a suitable contribution to parish support...just as others in the parish."

*Comment : (a) c. 681 does not come into this context.*

*(b) The reference to chaplains can be misleading. This is a technical canonical term designating and defining a specific ecclesiastical office: C. 564 defines a chaplain and clearly distinguishes him from a parish priest. A chaplain has full pastoral care of a certain community (prison, hospital, religious community). In very few cases in India do religious have a chaplain in this sense. What they have is Mass and other sacramental aids from one of the priests in the parish or a priest from a neighbouring religious house of clerics. In these cases the convents or institutions of lay men-religious have their own arrangements to compensate for transport, etc.*

3.7 "By the same token, an equitable contribution is to be made to the diocese in a spirit of corresponsibility, etc."

*Comment : cf. Nos 3 ff above esp. end of 3.4.*

3.8 *Circular of Abp of Delhi, Sept. 27, 1988*—this invites the major superiors of the archdiocese to a meeting to discuss taxation. It has to be read in the light of all that has been said above in this appendix.

3.9 In all of these matters we must also take note of canon 606, especially when institutions of women religious seem to be singled out for attention:

"Provisions concerning institutes of consecrated life and their members are equally valid for both sexes, unless it is otherwise clear from the context or from the nature of things."

### 3.10 Questions Raised by CRI President, letter of Oct 18, 1988)

(a) Does c. 1263 empower the local ordinary to levy taxes on religious?

Ans. cf. above nos.

(b) Has the bishop the authority to impose regular contributions on institutions run by religious, e.g., schools, hospitals should contribute to the diocese/parish a fixed sum ?

Ans: Such an act would be taxation. Cf. above nos. 3 ff.

(c) May a bishop stipulate a regular contribution by an institution for granting permission to religious to establish it? In other words, may he incorporate such a clause in a contract with a religious congregation?

Ans: C. 611,2° clearly restricts the right of the bishop of fix a condition to the works of the apostolate. To demand a "capitation fee" to enter the diocese would be a grave misreading of this canon.

### 4. SURPLUS:

cf CBCI Stg Comm. Extracts, Nov. 1987, p. 11

"A general principle was accepted also by religious that....surplus funds earned in a diocese should be made available for the mission of the local church." Some comments on this:

#### 4.1 "Surplus" must be distinguished between :

(a) Surplus belonging to the stable patrimony of the institute or house-land, building, permanent equipments investments as shares in companies etc. for purposes designated by the superior, etc. This surplus can only be administered according to Canon Law and the Institute's own law.

(b) Surplus not belonging to the stable patrimony. The Institute's own law tells superiors how this is to be administered, and what constitute extraordinary administration. (1281\*2)

*Note also c. 1285 : "Solely within the limits of ordinary administrators are allowed to make gifts for pious purposes or Christian charity out of moveable goods which do not form part of the stable patrimony."*

*Also note c. 1284\*1,6° : "Administrators must make use of money which is surplus after payment of expenses and which can be profitably invested for the purposes of their juridical person."*

4.2 Thus, there can be no question of a "general principle" in this matter of surplus. Like bishops and pastors, so too religious superiors are only administrators of the goods of their juridical person.

4.3 "A Bishop said that several years ago the Holy See answering to a similar question in Karachi, had said that money earned in one place should be spent in that diocese alone."

*Comment:* This instance is not pertinent here. Such a directive would only have pertained to diocesan funds or funds under the jurisdiction of the bishop.

4.4 "A bishop said that money earned in one place should not be sent to other places, except to support the Mother-house, the novitiate and the missions."

*Comment:* From all that is noted above, this statement would need correction. Pontifical institutes are not territorial in any case. It is unfortunate that as reported in the minutes of this meeting, "this position seemed to satisfy all", since this position is at variance with Church law.

4.5 "It was also pointed out that the diocese should support poor Congregations which come to the diocese in the initial phase, so that they become self-reliant." (p. 12)

*Comment:* Canon Law has always emphasized the need of financial viability before a house is started. "No house is to be established unless it is prudently foreseen that the needs of the members can be suitably provided for." (c. 610\*2)

4.6 Final Note: Paul VI and John Paul II have frequently pointed out that credibility is extremely important in the Church today. Both Catholics (laity and clergy) and non-Catholics demand

consonance between what we say and what we do. The Church's mission is harmed if others get the impression that social justice or Church laws are ignored, evaded or manipulated. Especially in the whole field of money, all Church persons must be very sensitive to credibility.

## 5. RELIGIOUS HOUSES

5.1 **TERMS:** Both the old and new Codes of Canon Law give the same substantial description of a *domus religiosa*-namely, a stable, permanent, legitimately established distinct juridical person, as well as material place in which common life is observed ACCORDING TO THE CONSTITUTIONS under the authority of a properly designated superior. Such is the description of a canonically erected religious house.

We must note the all-important phrase "according to the Constitutions". The New Code, following the lead of Vatican II, has given great authority and discretion to the Constitutions of each Institute. The phrase, "proper law", which occurs dozens of times in the new Code on Religious and Consecrated Life, indicates this freedom. Therefore how community life, or life in common, is to be lived must be discovered in the proper law of each Institute. Life in common for Jesuits is not the same as for Franciscans, etc. etc. If this is kept in mind, some of the ambiguities noted below will be avoided.

5.2 The New Code makes no distinction between various kinds of religious house as the old Code did, i.e. *domus regularis*, *domus religiosa*, *domus formata* non-*formata*. The new code speaks only of *domus religiosa*. However, in other canons it gives certain special norms for autonomous monasteries etc. (e.g. 609\*2, 614, 615, 667\*3)

5.3 As far as the material seat of the community is concerned, it does not matter whether the buildings belong to the Institute or not. In fact, a house in the formal sense can be established in a rented building and even in an apartment.

Once legitimately established, a *domus* becomes a juridical person with all the juridic consequences. (c. 116, 634)

5.4 All commentators have consistently agreed that summer

houses, temporary houses for students, guest houses for those in transit do not come under the canonical term "domus religiosa"

Most commentators do not call filial houses "domus religiosa". These filial houses are those *totally* dependent on another house.

For clarity's sake, this appendix refers to all the above house as "non-canonical houses."

It may happen that a group or a parish or religious already established in the diocese may call in one or two religious (even from another Institute) to help in a school or hospital. Here these religious coming in at this invitation have no intention of establishing a religious house. The place they actually reside would not be a *domus religiosa*.

**5.5 Religious house and community are not identical.** Church law requires that every religious belong to a local community with his/her own superior. But many religious in fact legitimately do not live in a religious house. E.g. religious priests living in presbyteries, diocesan seminaries, etc.

This is why the note in no. 5.1 above, must be kept in mind.

Finally, we must add that there will arise "border-line cases". Each such case must be studied by both the bishop and the major superior in its particular context.

## **6. STATEMENTS NEEDING CLARIFICATION OR CHANGE**

### **6.1 Appendix VII, Stdg Com. Extracts, p. 19 ff**

No 13 : "For religious to enter a diocese on the plea that the 'house' bought or proposed to be bought, is not a 'formal' house and is meant, e.g. for priests and missionaries visiting the place for various purposes, is irregular and in contravention of the Church's common law....The Pro-Nuncio wrote: 'One cannot but disapprove of priests and religious establishing themselves in a diocese without the written consent of the local Church (cf. c. 271, 609, 733 of Canon Law."

**Comment :** cf. all the above nos. on this topic. The Nuncio's statement is absolutely correct when it is understood to refer

to a canonical house as described above. C. 609 and 733 refer precisely to such houses. C. 271 does not fit the context, as it deals with quite another matter, viz. priests (diocesan) transferring temporarily to work in another diocese.

6.2 No 14: "The idea of placing a priest religious in the position of a caretaker of a house, where he cannot live out the religious life to which he is pledged nor function as a priest, is regrettable, to say the least. A bishop with any concern for the religious in his diocese, could hardly be expected to be party to such an attitude."

*Comment :* above Nos. 5.1, 5.4.

6.3 No 15 : "Priests/religious who have occasional business in another diocese should seek accommodation the way others do through friendly contacts or in suitable hostels, etc. e.g., CBCI and CRI headquarters."

*Comment:* cf. above.

6.4 Appendix VIII, "Extracts etc.", p. 22.

Some of the points in this appendix VIII have been raised in App. VII.

No. 4 : Sites canons requiring the permission of the Ordinary for the erection of an oratory (1224); for a private chapel (1226); Mass in a private chapel (1228).

*Comment:* These canons speak of "permission", Note must be taken of the canonical distinction between "permission" (licentia) and "dispensation". Dispensation goes against the law. Permission is a faculty to act according to the law. In this case the authority to act is conceded, but the superior wishes to know and approve of the act. Permissions can be presumed; dispensations can not be presumed. Also. the requirement for permission can be removed in many cases, e.g. c. 1071: "Excepting in case of necessity, one should not assist at these marriages (there follows a list), without the permission of the local ordinary." (Cf. Vermeersch-Creusen I, p. 175; Wenz-Vidal I, p. 464)

(a) "The permission of the L.O. is required to reserve the Bl. Sacrament where there is no oratory". (c. 934\* 1,2°). Note that only a canonical domus religiosa requires an oratory (608).

It would seem that the bishop should have a serious reason to deny this permission for non-canonical residences.

- (b) "It is realized that certain living situations may make reservation of the Bl. Sacr. imprudent or impractical". In these cases the religious would rely on the presence of the Bl. Sacr. in the local church." (USA commentary, p. 471)
- (c) Mass can be celebrated in a decent place in case of necessity, and one such necessity would be distance from the church. (USA p. 661)

6.5 No. 3 : "The Ordinary's concurrence with the superior of a Congregation on the presence of one of his religious in the diocese is clearly indicated and wanted from the stand-point of religious and/or priestly life".

Comment : Canon law does not require the bishop's concurrence for the presence of a religious in the diocese. E.g. home visits, medical treatment, vacation, giving retreats, etc. of 7.2 below.

## 7. CRI PRESIDENT'S Questions

7.1 Does the term "house of a religious institute" denote canonically erected houses only, or any residence for religious, including a transit house, hostel for religious students, summer villa, farm house, etc.?

Ans ; Cf. 5.1 and 5.4 above.

However, regarding "hostel for religious students", we must distinguish. If such a house is engaged as a stable residence for students, then this would seem to have to be established as a canonical house, subject to cc. 609 ff. C. 665 requires religious to live in a religious house unless the reasons noted in this canon are present. The superior can allow his subjects to live outside of a religious house "for purposes of study", IF there is no house of their own institute in that place. It would be playing with words to apply 665 if the Institute de facto is running its own house.

The exception to this would be, e.g. the situation in Bhubaneswar, where religious from various institutes come

to do a one year B. Ed. course. Various members come and rent a flat or quarter for that one year. Here there is no question of a *domus religiosa*.

7.2 Is the bishop's permission needed for a religious to reside in a diocese for any purpose, e.g. studies, health?

Ans. Not at all. Cf. above nos. Please also note that although all apostolates in a diocese are under the direction and authority of the diocesan bishop, Canon Law gives some general faculties for apostolate to priests. These can be exercised everywhere in the world, unless "in a particular case", the local ordinary refuses the exercise of this faculty. C. 967 (Confessions); 764 (preaching). Giving retreats and seminars is also apostolate, but custom has certainly established that the bishop's permission is not needed for this. Cf. c. 27 : "Custom is the best interpreter of laws." cf. 6.5 above.

7.3 **CONCLUSION** : Obviously, in cases of non-canonical residence, courtesy and respect require that the religious inform the bishop of their non-canonical residence. The same courtesy should equally inspire the bishop to acknowledge this non-canonical presence. He should not treat as illicit, or attempt to penalize, something which falls within the legitimate rights of religious institutes.

Brother John  
Secretary - CBCI-CRI.

## CONTRACTS WITH A BISHOP CANON 681\*2:

Superiors asked me for some more explanation and a model contract. The following draft can be used as a model. Fr. Roberts SJ, the Canon Law expert who helped us in the Joint Executive Meeting at Bangalore, while sending me this draft mentioned, "this draft contains the basic required structure and what should be in the contract. Obviously, each Provincial can make any change to fit a particular situation. But this elastic 'model' might be a helpful starter.'

## MODEL DRAFT

### Canon 681\*2 :

"In those cases (where the bishop entrusts some work of his own to the management of a religious institute), a written agreement is to be made between the diocesan bishop and the competent superior of the Institute. This agreement must expressly and accurately define, among other things, the work to be done, the members to be assigned to it, and the financial arrangements.'

#### 1. Works to be done :

If school work, then are the religious to manage it, only to teach in it, etc.? If teaching, then some specifics concerning what they are to teach etc. Then and something like : "These religious will receive the same financial remuneration and benefits which the other teachers enjoy. They will also have the same terms to work, leaves, etc. which the other teachers have." (cf. canon 1286; CBCI Norms in "Personnel in Church-Related Institutions.")

#### 2. If Parish work :

This too should be specified e.g. "The Religious assigned to parish work will work under the direction of the Pastor. Specifically, their work will involve Catechetical work as explained in Canon 777 and the diocesan norms.

#### Liturgical Work :

Leadership roles in Sunday and feast day Liturgies; choir training, training of altar servers; Lectors and Eucharistic ministers (Specify if this also will include being sacristans and church cleaners since these jobs are not liturgical).

#### Pastoral Work : as explained in Canon 529\*1.

The hours and days of these areas of "parish work" are to be specified : i.e. hours per day, days per week etc. The time should be adjusted to the needs of this apostolate, but at the same time it should not harm the community aspect of the religious. (Cf. canons 663, 670 and the Constitutions of the Institute involved)

"The parish religious will have the remuneration that fulfills canon 231\*2. Each religious will have one day off a week and terms that conform with "Laborem Exercens", No. 19.

The parish religious are also entitled to one month holiday per year, excluding the annual retreat. This one month may be taken all together or can be divided up throughout the year. Government and diocesan norms for casual and sick leave will be binding. Cf. cc. 533\*2; 550\*3".

### **3. Financial Arrangements :**

**3.1** Firstly the contract must clearly establish who owns what immovable goods (land, buildings, etc.)—the diocese or the Institute. And who owns movable goods (transport, office equipment and furniture, household equipment and furnishings, pump-sets, generators, etc.)

Canon 1283\*2 and \*3 specifies that at the signing of the contract an inventory of immovable goods and movable goods is to be made. The religious provincial and the bishop are to keep a copy of this inventory. Any changes made in the inventory must be noted in these copies.

**3.2 Lay Employees :** e.g. cooks, drivers, watchmen, peons, etc. The contract should specify who pays these salaries (which must conform to c. 1286 and the CBCI norms). If such persons are used exclusively by the religious community, then the community should pay, ordinarily.

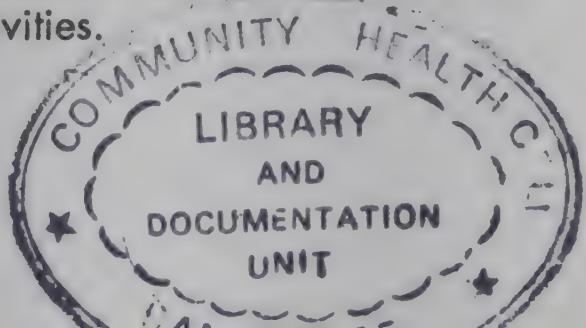
**3.3 Ordinary expenses :** maintenance, salaries of employees, utilities (water, electricity, phones, etc.) and expenses incurred in the school (or parish or dispensary etc.) activities.

**3.4 Suggested Model**—(details can be worked out as both bishop and major superior decide.)

"All living expenses (room, board, dhobi clothes and medical care) of each religious attached to the parish (or school, or dispensary will be met by (the parish, or diocese, or institute or partly by all, etc.)

In addition to living expenses, each religious will receive the same stipend as is given to the diocesan clergy (or lay employees in similar work and with similar qualifications etc.)

The parish (or school, or dispensary etc.) pays all the expenses for the ordinary maintenance of the building, for the utilities, for the salaries of lay employees and the expenses incurred by the parish (school etc.) activities.



For acts of extra-ordinary administration, the written permission of the bishop is required. Diocesan norms describing such acts of extraordinary administration will apply. (c. 1281\*1)

Besides giving an annual financial accounting to the bishop (c. 1287\*1) the superior of the Institute will also have the right to see these accounts.

**2.5 Fabric**—i.e. buildings. The contract should clearly establish if the religious will have the right to put up any buildings of their own, and whether these would then belong to the stable patrimony of the Institute. If the religious quit the work, and any building is their own as stable patrimony, then the religious would have to follow the canons on alienation (1292-1296) if they quit the place.

The contract should say what is to be done with immovable and movable goods if the religious leave. Stable patrimony belonging to the Institute cannot automatically lapse to the diocese in this event, since the canons of alienation must be followed.

#### **4. Duration of Contract :**

"This agreement will be effective for ..... years. If either party proposes to changes or modify the agreement, it must give the other party..... months advance notice. (If the institute's constitutions so demand, then add this: "Any alteration of this agreement will also have to be submitted to the Superior General").

Both parties agree on settling any disagreements in amicable dialogue. If either party wishes to terminate the agreement, one year's advance notice must be given in writing."

**N.B. :** The first two numbers of any contract should be these:

1. "This agreement is entered into by the diocese of ..... through the bishop, Rt. Rev. ...., and the ..... Province of the (name of the Institute), through Rev. Fr./Brother/Sister, Provincial."
2. "The norms that govern this agreement are the Code of Canon Law, the diocesan statutes, the proper Law of the Institute (name), and the articles of this agreement."



## **Vatican Ruling About Taxation of Religious by Bishops**

If you recall my letter No. 9/88, I had published documentation about taxation of religious by the Bishops and the details of the same from the CBCI-CRI Joint meeting. We had been discussing the right of the Bishops to levy taxes on "Public Juridical Persons Subject to his authority". (refer CRI letter Nos. 5/88 page 25 and 9/88 page 26). There has been further clarification from Commission for the authentic interpretation of canon Law dated 20th May 1989. (L'OSERVATORE ROMANO 3rd July 1989).

I Quote :-

"Q. Whether the words of canon 1263 "Public Juridical Persons Subject to his authority", include also external schools of religious institutes of Pontifical right?

Ans. : in the negative".

Again,

"The Examiner" of 15th July '89 and "Petrus" of 15th Aug. 89 had news items on the above subject. I am reproducing what the Examiner published for your information.

## **BISHOPS CAN TAX ONLY DIOCESAN SCHOOLS**

*(Extract from the Examiner)*

"The Vatican has ruled that diocesan bishops cannot tax educational institutions in their dioceses belonging to religious orders of pontifical right. The ruling means that a bishop can only tax schools that have been established by the diocese, said Dominican Father Joseph Fox, an official of the Pontifical Council for the Interpretation of Legislative Texts. "He cannot tax an educational institution established by the Holy See, even indirectly through religious orders of pontifical right," said Father Fox. While the judgement specified schools, it could also be applied to hospitals, nursing homes and other institutions operated by religious orders, said Father Fox. "It would seem that the same principle would apply," he said: Religious orders of pontifical right are those—such as the Jesuits or Dominicans that are approved by

the Holy See and come under direct Vatican supervision. The ruling was made by the council, the Vatican agency for officially interpreting canon law, and approved by Pope John Paul II May 30. It was published in the June 24 edition of *L' Osservatore Romano*, the Vatican newspaper. The ruling is an interpretation of Canon 1263, which says "the diocesan bishop has right to impose a moderate tax on public juridical persons subject to his authority." The ruling says that the phrase "juridical persons subject to his authority" does not include "schools of religious institutes of pontifical right." In another ruling, the council said the community of priests, known as canons, attached to specific churches and cathedrals, mostly in Europe, does not have to elect its leader. This means they can continue to use existing selection processes such as seniority."



## RE-CONSTITUTED CRI JOINT EXECUTIVE COUNCIL 1992

	NAME	YEAR	DIR. NO.
<b>CRI NATIONAL PRESIDENT</b>			
	Brother Philip Pinto, CFC	1992	(B. 2)
<b>PRIESTS' SECTION</b>			
President	: Father Varkey Perekkatt, S.J.	1992	(P. 92)
Vice-President	: Father Vincent Durairaj, SDB	1990	(P. 74)
Secretary	: Father Jose Pottayil, SSP	1992	(P. 96)
Councillors	: Father Thomas Mampra, CMI	1991	(P. 14)
	Father Conrad D'Souza, OFM. Cap	1991	(P. 8)
	Father Sidney J. Mascarenhas, OFM	1992	(P. 60)
<b>SISTERS' SECTION</b>			
President	: Sister Hildegarde, CSST	1992	(S. 93)
Vice-President	: Sister Munira Khan, FC	1992	(S. 142)
Secretary	: Sister Inigo, SSA	1992	(S. 14)
Treasurer	: Sister Angeline Machado, SCC	1991	(S. 113)
Councillors	: Sister Immaculate, DM	1991	(S. 121)
	Sister Patricia, SMMI	1991	(S. 334)
	Sister Joseline E. Pauvath, SCSC	1992	(S. 216)
<b>BROTHERS' SECTION</b>			
President	: Brother Philip Pinto, CFC (Re-elected)	1991	(B. 2)
Vice-President	: Brother George Thottiyil, CMSF	1991	(B. 3)
Secretary	: Brother Mani Mekkunnel, SG	1990	(B. 20)
Councillors	: Brother Antony of Padua, SG	1990	(B. 19)
	Brother Abraham Variath, FSP	1990	(B. 24)
	Brother Joseph Fernando, FSC	1991	(B. 1)
NATIONAL SECRETARY	: Brother John, S.G.	1984	

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## JOINT COMMITTEE OF THE CBCI-CRI

(This committee was re-constituted in January 1992 for a term of two years. The Bishop Members at the CBCI Meeting of Pune and the CRI Members at the National Assembly at Barrackpore, Calcutta)

Chairman: Vice-President I of the CBCI (Ex-Officio)

### CBCI MEMBERS

1. Bishop Gratian Mundadan, CMI, Vice-President I CBCI
2. Archbishop Leobard D'Souza, Vice-President II CBCI
3. Bishop Mar Ephrem Thottam, Secretary General CBCI
4. Bishop Joe Rodericks, S.J., CCBI Representative
5. .... Syro-Malabar Church Representative
6. .... Syro-Malankara Church Representative
7. Bishop Alphonsus D'Souza, Representative-Bihar Regional Bishops' Council (BRBC)
8. .... Representative Karnataka Regional Catholic Bishops's Council (KRCBC)
9. .... Representative of Council of Bishops of Madhya Pradesh (CBMP)
10. Deputy Secretary General - CBCI - (Ex-Officio)

### CRI MEMBERS

1. Brother J. Philip Pinto, CFC, President, Brothers' Section
2. Sister Hildegarde, CSST, President, Sisters' Section
3. Father Varkey Perekkatt, President, Priests' Section
4. Father Thomas Mampra, CMI
5. Father D. Jesu Das, OFM. Cap.
6. Sister Melba Lopes, SCJ
7. Sister Loretta Lobo, SJT
8. Sister Ramina Coutinho, RSCJ
9. Brother John SG, National Secretary CRI, (Ex-Officio)

## **WELCOME TO THE NEW MEMBERS OF THE CRI**

*We extend a warm welcome to the following Superiors who have taken charge of their Office after the publication of the CRI Directory 1992.*

### **PRIESTS' SECTION**

#### **D No. Previous Superior New Superior**

P. 103 (New Registration)	Father Augustine Keemattam, CMI Vice-Provincial St. John's Ashram Jalalabad, NIJIBABAD - 246 763 Dist. Bijnor - U.P.
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### **SISTERS' SECTION**

2	Sister Stella Maria, SABS	Sister Joyce Maria, SABS
5	Sister Cimbrose, SABS	Sister Charles, SABS
69	Sister Adria, CMC	Sister Seraphia, CMC
80	Sister Ricci, CMC	Sister Laetus, CMC
158	Sister Celerina, FCC	Sister Henry Suso, FCC
249	Sister M. Delphine, CSSJ	Sister Pius Vadassery, CSSJ
317	Sister Jane, SH	Sister Mary Jessi, SH
318	Sister Stella Maris, SH	Sister Vianny, SH

## **PRESIDENTS OF THE THREE SECTIONS OF THE C.R.I.**



**Fr. Varkey Perekkatt, S.J.**  
Priests' Section

**Br. J. Philip Pinto, CFC**  
Brothers' Section

**Sr. Hildegarde, CSST**  
Sisters' Section

**Elected at the CRI National Assembly,  
Barrackpore, Calcutta on 1st January, 1992**